

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**DRUCILLA BOCAROV,  
JASON VAUGHN, and  
CHRISTY VAUGHN,**

**Plaintiffs,**

**v.**

**Case No. 2:10-CV-39  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Elizabeth Preston Deavers**

**JUDGE JACK PUFFENBERGER,  
and BENJAMIN WYREMBEK,**

**Defendants.**

**ORDER**

Plaintiffs Drucilla Bocarov, Jason Vaughn, and Christy Vaughn brought this civil rights action in this Court seeking redress for constitutional injuries they allege they suffered in connection with state-court adoption proceedings, in which Defendant Judge Jack Puffenberger of the Lucas County Court of Common Pleas, Probate Division, ruled against Plaintiffs and in favor of Defendant Benjamin Wyrembek in finding that the adoption proceedings had been instituted prematurely and that Wyrembek was the legal father of the child placed for adoption. Plaintiffs contended that the state court violated Plaintiff Bocarov's due process rights by failing to consider or address the allegation made in the adoption petition that, as the birth-mother of the infant placed for adoption, she had a constitutionally protected liberty interest under the Due Process Clause of the United States Constitution to place her infant child for adoption. Defendants filed separate motions to dismiss, which the Court granted.


This matter is now before the Court on the Defendant Benjamin Wyrembek's Motion for Attorney Fees (Doc. 26). Initially, he sought the payment of attorney fees from all Plaintiffs;

however, he subsequently withdrew the motion insofar as it applied to Drucilla Bocarov. In its present posture, the motion now seeks payment of \$4,950.00 in attorney fees from Plaintiffs Jason Vaughn and Christy Vaughn or their attorney. In support, Defendant Wyrembek has submitted affidavits from Alan J. Lehenbauer and Shannon McQuade Lafkas, attorneys for Defendant Wyrembek, setting forth itemized services and hourly billing rates.

The time for filing responses has passed and no responses have been filed. The Court therefore finds the motion to be unopposed. Accordingly, Defendant Wyrembek's Motion for Attorney Fees (Doc. 26) is **GRANTED**. It is **ORDERED** that attorney Michael R. Voorhees, counsel for Plaintiffs Jason Vaughn and Christy Vaughn pay Defendant Benjamin Wyrembek's attorney fees in the amount of \$4,950.00.

**IT IS SO ORDERED.**

8-8-2011  
**DATE**

  
\_\_\_\_\_  
**EDMUND A. SARGUS, JR.**  
**-UNITED STATES DISTRICT JUDGE**